

# COMMITTEE REPORT

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## MR. PRESIDENT:

The Senate Committee on Environmental Affairs, to which was referred Senate Bill No. 343, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be **AMENDED** as follows:

1           Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:

3           "SECTION 1. IC 13-11-2-72.5 IS ADDED TO THE INDIANA  
4 CODE AS A NEW SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 1999]: **Sec. 72.5. "Excellent category", for**  
6 **purposes of IC 13-18-3-2, refers to scoring criteria used in a**  
7 **scientifically accepted model such as the Invertebrate Community**  
8 **Index (Barbour et al. 1997) and the Index of Biotic Integrity (Karr**  
9 **et al. 1986).".**

10          Page 1, delete lines 10 through 15, begin a new paragraph and  
11 insert:

12          **"(b) Before the board may adopt a rule designating a waterbody**  
13 **as an outstanding state resource water or an outstanding national**  
14 **resource water:**

15               **(1) the biological criteria scores for the waterbody, using**  
16 **factors that consider fish communities, macro invertebrate**  
17 **communities and chemical quality criteria, must be in the**  
18 **excellent category; and**

- 1           **(2) the board must consider the following:**
- 2               **(A) Economic impact analyses, taking into account future**
- 3               **population and economic development growth.**
- 4               **(B) Representative biological data from the waterbody**
- 5               **under consideration.**
- 6               **(C) The level of current urban and agricultural**
- 7               **development in the watershed.**
- 8           **(c) In addition to the requirements set forth in subsection (b),**
- 9           **before the board may adopt a rule designating a waterbody as an**
- 10           **outstanding national resource water, the board must establish the**
- 11           **following:**
- 12               **(1) The quality of the waterbody at the time the rule is**
- 13               **adopted is in the excellent category.**
- 14               **(2) The waterbody has national importance.**
- 15           **(d) The commissioner shall present information that supports**
- 16           **a waterbody designation to the environmental quality service**
- 17           **council not later than:**
- 18               **(1) one hundred and twenty (120) days after the rule**
- 19               **regarding the designation takes effect; or**
- 20               **(2) the first meeting of the environmental quality service**
- 21               **council that follows the adoption of the rule;**
- 22           **whichever occurs first.**
- 23           **(e) The environmental quality service council shall make**
- 24           **recommendations to the general assembly regarding legislation**
- 25           **concerning waterbody designations."**
- 26           Page 2, line 2, before "NEW" insert "A".
- 27           Page 2, line 16, delete "a permit,".
- 28           Page 2, between lines 29 and 30, begin a new paragraph and insert:
- 29           **"(b) This SECTION does not apply to rules, standards,**
- 30           **determinations, orders, or nonrule policy documents or statements**

- 1       **adopted or issued before July 1, 1999."**
- 2       Page 2, line 30, delete "(b)" and insert "(c)".
- 3       Renumber all SECTIONS consecutively.  
      (Reference is to SB 343 as introduced.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 8, Nays 0.

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**Senator Gard, Chairperson**